Challenges of the Nuclear Nonproliferation Regime

by Richard T. Kennedy

Address before the Atomic Industrial Forum and FORATOM in Geneva on June 1, 1983. Mr. Kennedy is U.S. permanent representative to the International Atomic Energy Agency (IAEA) and Ambassador at Large and special adviser to the Secretary on nonproliferation policy and nuclear energy affairs.*

I am delighted to be with you today here in the beautiful city of Geneva. And I am equally pleased to have the opportunity to talk with you about a subject which is my preoccupation, my abiding concern, and one which I know is a matter of utmost concern to you, your governments, and to thoughtful people everywhere: preventing the spread of nuclear weapons.

I recognize many in the audience as old and valued friends, colleagues from former times, people who have concerned themselves with nuclear matters almost from the dawn of the atomic age. We sometimes forget that this incredible technology we deal with is so very young in human terms. It is, after all, scarcely 40 years old. By way of contrast, the first literary reference we have to the city which is now Geneva was in Caesar's *Gallic Wars*. Old Julius describes it as "an *oppidum* of the Allobroges whose territory was connected to that of the Helvetii by a bridge which Caesar, for military reasons, was forced to destroy." Caesar always used the third person, as you Latinists will recall.

That event occurred, and those facts were recorded, about 50 years before the birth of Christ. If the world is as old as we think it is, the atomic age, in relative terms, has barely occupied the time needed for a twinkling of the eye. Being in this old and beautiful city gives us a chance to take a long-term perspective for a change. It gives us the opportunity to forget the trees and look at the forest for once. If we want, we can take a refreshing pause from the transient difficulties or short-term setbacks we all have come to know and even to expect in our work.

I am going to take that opportunity right now and, stepping back from the daily fray, from the alarms and diversions of the moment, try to take a brief look at the big picture. My impression is that, despite the criticism we hear from time to time, despite the fact that there are some obvious trouble spots around the world—despite all of these things, my impression is that our common efforts to prevent the spread of nuclear weapons are working. Let me tell you why I feel this way. You judge a tree by its fruit. The fruit of this tree is sound. We have in place an international nuclear nonproliferation regime which, while it is clearly not perfect, is functioning. We want to make that regime and the institutions, norms, and practices which comprise it stronger, more complete, and more effective.

During President John Kennedy's Administration 20 years ago, the consensus of policy experts was that by the mid-1980s, 15 to 25 countries would have nuclear weapons. They were wrong. Serious commentators then accepted, almost without question, the idea that the spread of nuclear weapons was inexorable, working its way out like a Greek tragedy, inevitably moving to a foreordained conclusion. Again, they were wrong.

To the contrary, there is growing acceptance in the international community today that the spread of nuclear weapons must be avoided. For it is increasingly clear that it would add to the insecurity of nations, worsen the divisions among countries, and contribute to vastly greater instability in the world community. There is a growing consensus symbolized by the adherence of 116 countries to the Non-Proliferation Treaty that acquiring nuclear weapons is not a sensible or reasonable course for nations to pursue. Rather, the consensus is that nuclear programs should be carried on only where there are adequate safeguards and other arrangements to make clear a country's commitment to the use of the atom for peaceful purposes.

In the United States, we have laws, policies, and procedures aimed at preventing the spread of nuclear weapons. Every other major nuclear-exporting country has adopted comparable although, obviously, not wholly identical restrictions. We can and should take considerable comfort from these facts.

The United States, as you well know, is firmly and fully committed to preventing the spread of nuclear weapons. This is a commitment that dates from the very beginning of the nuclear age, and it is a commitment that is shared by most other countries around the globe.

U.S. Progress

Let me cite just a few specifics which are very much on the positive side of the ledger as we look at the nonproliferation balance sheet today. We in the United States have made significant progress on our program for reduced enrichment for fuels for test and research reactors. Other countries have similar programs. These efforts over time will go a long way toward eliminating traffic in high-enriched uranium, while still allowing countries to meet their legitimate research and scientific objectives.

The negotiation of the Treaty of Tlatelolco by the countries of Latin America, creating a nuclear-weapons-free zone for that region, also is reason for optimism. Recently, the United States ratified Protocol I, and we urge other countries to ask themselves whether their long-term interests would not be served by taking the steps they can—as soon as they can—to bring that vital treaty into force everywhere in the hemisphere.

The United States also has put into place a coherent, realistic, yet prudent, plutonium use policy. We believe that the potential risks of reprocessing and use of plutonium as a fuel must be recognized. But we also realize that the energy needs of some nations may dictate its use at some point in the future. We believe, therefore, that where it can be judged that reprocessing and use of plutonium in civil nuclear power programs involves no proliferation risk, it is neither necessary nor wise to place crippling restrictions on our allies and friends who have advanced nuclear programs and who seek to develop more secure energy sources. Instead, our nonproliferation goals require that we work with these countries to ensure adequate security and safeguards for the use of plutonium in their peaceful nuclear energy programs.

We also can and should take considerable satisfaction from the progress we have made in strengthening those internationally agreed rules of nuclear

trade without which peaceful nuclear commerce would no longer be possible.

But let us be completely candid: There are strains on the existing norms, and there is need for still further efforts to broaden and strengthen these rules of nuclear trade.

Competition and Guidelines

In each of our countries, there are large nuclear industries, created at a time when projected energy demand was much greater and when it seemed that the future for nuclear power was unbounded. But times have changed, and we are all faced with the problem of how to preserve those nuclear industries for the future when demand for nuclear power will again grow—as I believe it will. In this situation, it is only natural that competitive pressures are intense. And those pressures are focused increasingly on the effort to find new markets abroad.

But it is in the interest of every nation—supplier and purchaser alike—that competition for those markets be carried out in terms of such factors as the quality of equipment, know-how and expertise, financing, delivery schedules, and the like. These are the traditional and understood grounds for competition in the marketplace.

Competition must not be conducted in a way that it will hinge on the readiness of a supplier to shade safeguards or other nonproliferation conditions, to look for possible technology sweeteners that will make purchasing from it seem more attractive than from another country that honors existing sound norms. For once the process of shading our shared nonproliferation standards begins, we will end up with the lowest common denominator of what can be agreed to among nations, each motivated not by its or the world's long-term interest but by short-term gain and fear of what its neighbors might do. Under these conditions, the nonproliferation regime will gradually unravel, and we will find ourselves unable to realize the atom's promise for the health and well-being of all.

The prospective emergence of new suppliers on the scene adds even greater urgency to our efforts to preserve and strengthen the agreed rules of nuclear trade. If there is disharmony and controversy among the major nuclear suppliers on conditions for nuclear export, new suppliers inevitably will be tempted to use nonproliferation conditions as a bargaining factor in their pursuit of sales. If they see their role models performing in this way, what else can we reasonably expect? By contrast, agreement now among the existing suppliers on sound guidelines and a commitment to honor those guidelines will make it easier to urge new suppliers to follow those agreed and sensible export practices in the future.

A further word about such common supplier policies and guidelines: It is clear that no list of sensitive materials can ever be immutable. The items on any such list must change over time as technologies change and as our understanding of technologies becomes broader and deeper.

But there are other items whose relation to sensitive activities is more complex. What should we do, for example, if a nation seeks to buy a computer which could be useful in the operation of an unsafeguarded reprocessing plant? Here we get to the heart of the dual-use question: The same computer that could help in the operation of a reprocessing plant could also be used quite properly and harmlessly in a large chemical facility. How should the nations of the world decide which request to honor and which to reject? The nuclear-exporting states, after all, are those most likely to be in a position to export the computer in question. Should there be a policy aimed at foreclosing the export of any item which has a dual use? Should any item be barred which could conceivably find its way into a facility which could be used in developing nuclear explosives? This is no simple question, and there are no simple answers. Clearly, for example, a blanket export prohibition might prevent the construction of a perfectly respectable, indeed vitally necessary, chemical plant in a developing country. But by the same token, the potential dangers cannot be ignored.

If we can have confidence that the intended use of that mythical computer is not related to the manufacture of nuclear explosives, the question is clearly much easier to answer. But how can the requesting nation generate that confidence? One clear answer would be by adhering to the Nuclear Non-Proliferation Treaty or, in the case of Latin American countries, by accepting and agreeing to be bound by the Treaty of Tlatelolco. The voluntary acceptance of IAEA [International Atomic Energy Agency] safeguards on all of a country's nuclear facilities and activities is yet another way to generate that needed confidence.

Let me elaborate. In order to manufacture nuclear explosives, a nation needs two things: first, the know-how and technical backup. This means scientists, the necessary materials, and equipment. This is the technical side of the equation and, though the barriers remain considerable, more and more nations are coming to possess the technical wherewithal to cross those barriers.

Second is the political decision to "go nuclear." A nation must consciously make this hard decision, presumably because it sees some benefit to itself by doing so. This is the political ingredient. After all is said and done, the political ingredient is by far the more important. All the export controls that the suppliers can devise or the safeguards that the IAEA can implement cannot forever bar a country from acquiring nuclear explosives. A nation can, however, rule out "going nuclear" by an act of political will. It can turn its back on the development of nuclear weapons by adhering to the Nuclear Non-Proliferation Treaty and accepting safeguards on all its nuclear activities. One hundred and sixteen non-nuclear-weapons states so far have done just that. Where such regional treaties such as the Treaty of Tlatelolco exist, adherence to them can serve the same goal.

But there is more to it than a simple signature on a treaty. The best way for a nation to demonstrate its *bona fides*—the most graphic way—is to accept safeguards in spirit as well as in the letter. It is unseemly for nations to haggle about the niceties of safeguards—whether a given action or a particular technical change is within the writ of a particular IAEA safeguards agreement. Instead of a preoccupation with the precise legal letter of safeguards—as distinguished from the spirit of safeguards, a preoccupation with form over substance—all nations should work to strengthen the IAEA safeguards system and help it to perform its vital task.

Only such a cooperative attitude can provide the proper basis for nuclear commerce. Without it, that mutual trust and confidence, which is essential if we are to continue to be able to use nuclear

energy for peaceful purposes, will be lacking. For after we strip away all the verbiage, it comes down to this: trust has to be the predicate for all nuclear commerce. The exporting nation must have confidence that the materials it exports will not be turned into devices of war and destruction. Recipient nations must have confidence that, having demonstrated by word and deed their own *bona fides,* they can get the help they need to realize the atom's peaceful promise.

Many means are at hand, as I have suggested, for building that confidence for both suppliers and recipients. The Nuclear Non-Proliferation Treaty is there, and the relatively few nations which have not adhered to date could join at any time. For the countries of Latin America, the Treaty of Tlatelolco waits to be embraced. The IAEA is there ready, willing, and able to apply safeguards to all facilities not yet covered.

Our plea to the nations which have not yet done so is to make a formal, public commitment to peace and to demonstrate that commitment by joining the overwhelming majority of nations in the world in accepting the obligations of these precedent-shattering treaties.

How strongly do we feel about this? Very strongly, indeed. President Reagan in his Los Angeles address on March 31 of this year put it this way:

> For arms control to be truly complete and world security strengthened . . . we must also increase our efforts to halt the spread of nuclear arms. Every country that values a peaceful world order must play its part. Our allies, as important nuclear exporters, also have a very important responsibility to prevent the spread of nuclear arms. To advance this goal, we should all adopt comprehensive safeguards as a condition for nuclear supply commitments that we make in the future.

Conclusion

Why are we pursuing this initiative? What do we hope to accomplish? That brings me full circle, back to my beginning. Our goal is to strengthen the international nonproliferation regime which we have struggled together to erect over the last four decades. We want to put into place a set of norms and standards with which everyone agrees—a set of norms which, in effect, will be the rules of conduct, honored by supplier nations and receiving nations alike. President Reagan's call for comprehensive safeguards is one more step in perfecting this regime. We want to prevent the spread of nuclear weapons around the world because we think that spread would be dangerous to the security of every nation on earth. Nuclear energy has much to offer the peoples of the world—for power, for medicine, for agriculture, for industry. But, to realize that promise, we must control the threat of nuclear proliferation.

We need not, we must not, despair that the task is too great or that chances of success are too small. We have a solid base of experience to build upon. And we have a growing awareness that the cost of failure can be enormous. It is a challenge to all and a challenge which all must pursue. As President Reagan said, "Every country that values a peaceful world must play its part."

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*FORATOM represents the atomic trade associations of 14 West European countries. ■

Visit of Australian Prime Minister

(White House photo by Pete Souza)

Prime Minister Robert J.L. Hawke of Australia made an official working visit to Washington, D.C., June 11–15, 1983, to meet with President Reagan and other government officials.

Following are remarks made by President Reagan and Prime Minister Hawke after their meeting on June 13.[1]

President Reagan

I'm delighted that Prime Minister Bob Hawke has been able to come to Washington so early in his administration.

We've had a productive session, reviewing bilateral issues as well as world developments. And, more importantly, we've had a chance to put our